

State of South Dakota

EIGHTIETH SESSION LEGISLATIVE ASSEMBLY, 2005

553L0494

HOUSE BILL NO. 1173

Introduced by: Representatives Weems, Buckingham, Elliott, Garnos, McCoy, O'Brien, Rave, and Rounds and Senators Smidt, Abdallah, Bartling, Knudson, McCracken, Olson (Ed), and Sutton (Dan)

1 FOR AN ACT ENTITLED, An Act to revise the grounds for revocation, suspension, or
2 cancellation of an athletic trainer's license.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 36-29-18 be amended to read as follows:

5 36-29-18. The license of an athletic trainer may be revoked, suspended, or canceled upon
6 any one of these grounds:

7 (1) The licensee is guilty of fraud in the practice of athletic training or fraud or deceit in
8 ~~his~~ the admission to the practice of athletic training; ~~or~~

9 (2) The licensee has been convicted of a felony during the past five years. The conviction
10 of a felony is the conviction of any offense, which if committed within the State of
11 South Dakota would constitute a felony under its laws; ~~or~~

12 (3) The licensee is engaged in the practice of athletic training under a false or assumed
13 name and has not registered that name pursuant to chapter 37-11, or is impersonating
14 another practitioner of a like or different name; ~~or~~

15 (4) The licensee is addicted to the habitual use of intoxicating liquors, narcotics, or



stimulants to the extent as to incapacitate ~~him~~ the licensee from the performance of
~~his~~ the licensee's professional duties; ~~or~~

(5) The physical or mental condition of the licensee is determined by a medical examiner
to be such as to jeopardize or endanger those who seek relief from the licensee. A
majority of the Board of Medical and Osteopathic Examiners may demand an
examination of the licensee by a competent medical examiner selected by the board
at the board's expense. If the licensee fails to submit to the examination, this ~~shall~~
~~constitute~~ constitutes immediate grounds for suspension of the licensee's license; ~~or~~

(6) Obtaining or attempting to obtain a license, certificate, or renewal thereof by bribery
or fraudulent representation; ~~or~~

(7) ~~Direct or indirect compensation from individuals or third party payees for services~~
~~rendered;~~ ~~or~~

~~—(8)—~~ Making a false statement in connection with any application under this chapter; ~~or~~

~~(9)~~ (8) Making a false statement on any form ~~promulgated~~ adopted by the board in
accordance with this chapter or the rules ~~and regulations adopted~~ promulgated by the
board; ~~or~~

~~(10)~~ (9) The licensee conducts continued treatment and rehabilitation procedures on
individuals other than those associated with the employing institution or
athletic organization; or

~~(11)~~ (10) The licensee has violated any provision of this chapter or the rules ~~and~~
~~regulations promulgated hereunder~~ pursuant to this chapter.